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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/749,964

12/31/2003

Michael Pong Kei Wong

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12/08/2004

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EXAMINER

ZARROLI, MICHAEL C

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/749,964	Applicant(s) WONG, MICHAEL PONG KEI	
	Examiner Michael C. Zarroli	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-9,12 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 4,5,10,11,13 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: The drawings show lead lines for reference numbers, but no numbers. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the base comprises an annular channel within which the terminals are located within a

narrowed part of the channel must be shown or the feature(s) canceled from the claims 9-10. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claims 6-8 and, 18-19 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6, 18 and, 19 recite the limitation "the engagable pivot mounting features" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim. The examiner will interpret this phrase to mean the same as "engagable pivot connection features" in claims 1, 2 and 3 respectively.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 2, 14 and, 16 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lee et al (6328581).

Lee discloses an electrical adapter comprising: a base (16) having electrical terminals and engagable bayonet connection features (162, 1621), and a body (11)

having engager bayonet connecting features (fig. 3) for co-operating with the engagable bayonet connection features of the base to secure the body rotatably to the base (fig. 4), the body having electrical contacts (121) configured to engage with the terminals of the base when the body and base are so secured (col. 3 lines 30+ & lines 50+).

Regarding claim 14 Lee discloses that the base has conducting pins (161) extending from one side thereof for insertion into apertures of a mating socket and the electrical terminals (122) are located on the other side of the base and correspond to each of the conducting pins and are connected electrically thereto.

Regarding claim 16 Lee discloses that the base has extending therefrom a power cord (182) at a remote end of which there is a plug having conducting pins (181) for insertion into apertures of a mating socket and wherein the electrical terminals are connected electrically to each of the conducting pins via individual conductors (1821, 1822) in the power cord.

7. Claims 3 and, 15 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lee (5702259).

Lee discloses an electrical adapter comprising: a base (5) having electrical terminals and engagable pivot connection features (52), a body (4) having engager pivot connecting features (42) for co-operating with the engagable pivot

connection features of the base to secure the body rotatably to the base (fig. 5A), the body having electrical contacts (43) configured to engage with the terminals of the base (fig. 5C) when the body and base are so secured, and a locking device by which the body is automatically locked to the base when pivotally interconnected therewith (col. 3 lines 55-64), but that requires manual depression to unlock the body from the base (spring action of 44).

Regarding claim 15 Lee discloses that the base has conducting pins (51) extending from one side thereof for insertion into apertures of a mating socket and the electrical terminals (43) are located on the other side of the base and correspond to each of the conducting pins and are connected electrically thereto.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 9 and, 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Messimer et al.

Messimer discloses an electrical adapter for use in countries having main electrical pin/socket patterns that allow no alternative plug-insertion orientations, comprising (col. 1 lines 10+, even though this part of the preamble is intended use); a base (18) having electrical terminals (P1 or P# for example) and engagable pivot connection features (figures 2 & 5), and a body (17) having engager pivot connecting features for co-operating with the engagable pivot connection features (fig. 5 lower part) of the base (figures 2 & 5) to secure the body rotatably to the base, the body having electrical contacts (128) configured to engage with the terminals of the base when the body and base are so secured (figures 5 & 9).

Messimer also discloses that the rotation of the body and base **could be** in a 180 offset (figures 3A & 3C). Messimer does not disclose that there can be **only two** possible orientations 180 degrees offset.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify the adapter of Messimer by eliminating two possible positions so that the rotation could only be in two positions 180 degrees offset.

The motivation for this modification could be to limit the utilization of the adapter top two applications to prevent misuse. Well settled case law has said that eliminating an element and its function is well known in the art *In re Karlson*, 311

f.2d 581, 583, 136 USPQ 184, 186 (CCPA 1963); In re Kuhle, 526 F.2d 553, 188 USPQ 7 (CCPA 1975).

Regarding claim 9 Messimer discloses that the base comprises an annular channel (fig. 5 at A & C) within which the terminals are located.

Regarding claim 12 Messimer discloses that the body is integrated into a double adapter (fig. 1).

10. Claim 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Lee as applied to claim 3 above, and further in view of Lee et al (6328581).

Lee discloses that the base has extending therefrom a power cord (fig. 6) at a remote end of which there is a plug having conducting pins (51) for insertion into apertures of a mating socket. However, Lee does not disclose that the cord has individual conductors for each terminal.

Lee et al (6328581) discloses that electrical terminals are connected to each of the conducting pins via individual conductors of a power cord (figures 19 & 20).

At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify Lee with the power cord conductors of Lee et al. The motivation for such a combination would be to utilize all the conductor pins. It is almost an inherent property of a power cord that it would electrically connect to all the conductors of the device to which it is attached.

Allowable Subject Matter

11. Claims 4-5, 10-11, 13 and, 20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 6-8 and, 18-19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. The following is a statement of reasons for the indication of allowable subject matter: Claim 4 in combination with claim 1 specifically terminals on the **other side** of the base corresponding to each of the pins. Claim 5 in combination with claim 1 specifically individual conductors of **a power cord** connected to respective pins. Claim 6 in combination with claim 1 specifically the radially extending lugs with **ramp surfaces**. Claim 10 in combination with claims 9 and, 1 specifically the annular channel **narrow part**. Claim 11 in combination with claim 1 specifically the **contacts spring biased**. Claims 18 and 19 in combination with claims 2 and 3 respectively specifically the **ramp surfaces**.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Teng et al and Philips et al teach a base and body with terminals and contacts and a rotating action for connection in an adapter device.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Michael C. Zarroli". The signature is fluid and cursive, with a large initial "M" and a stylized "Z".

Michael C. Zarroli
Primary Examiner
Art Unit 2839

MCZ
MCZ